

OFFICE OF THE ATTORNEY GENERAL STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

December, 2012

RE Violent Crimes Victim Assistance Program - 2012 Status and Updates

Dear Honorable Member of the Illinois Legislature:

As Chairperson of the Violent Crime Advisory Commission, I am pleased to provide this annual report in accordance with the Violent Crimes Victim Assistance Act (VCVA). [735 ILCS 240/5]. This year's report will focus on efforts to stem the decline of deposits into the VCVA fund and the effects of these declines.

The Office of the Illinois Attorney General administers the Violent Crime Victims Assistance Program [725 ILCS 240], awarding grant to non-profit social service and government agencies throughout the state that provide services to victims and witnesses of violent crime. These services meet the statutory mandate by assisting criminal justice agencies in giving more personal attention to victims and witnesses, sensitizing those working with crime victims, attempting to decrease the incidence of unreported crimes, assuring victims are informed of the progress of their cases, and encouraging public use of services. [725 ILCS 240/2]. Services include, among other things, assistance in obtaining orders of protection, civil no contact and stalking no contact orders, safe shelter, notifications related to criminal proceedings, accompaniment to court proceedings, counseling, assistance obtaining crime victim compensation and referrals to social service agencies.

Overview of the VCVA Grant Program

In 1983, the Illinois General Assembly recognized the importance of victims and witnesses in the criminal justice process and passed the Violent Crime Victims Assistance Act. In doing so, the General Assembly found that "the single most important determinant of whether a case is resolved is the information and assistance provided to the victim or witness." [725 ILCS 240/2]. Intending "to provide ways of improving attitudes of victims and witnesses toward the criminal justice system and to provide for faster and more complete victim recovery from the effects of

crime,” the law established a grant program to provide services to victims and witnesses of violent crime. Fines assessed against defendants convicted of various criminal offenses fund the program.

In 1985, the first year of the program, the Attorney General awarded 75 grants totaling \$586,170.21. This fiscal year, the Office of the Attorney General awarded 253 VCVA grants totaling \$4,158,289.00. Although assistance to agencies has grown considerably over the years, this is far less than the \$7.6 million awarded in FY2010. The awards have diminished in the last three years due to a decline in the amount of money deposited into the fund.

Eligibility for the VCVA Grant Program

Any government or non-profit agency in the state that offers one or more of the following services for victims of violent crime may apply for VCA grant funding:

- coordinate volunteers to work with criminal justice agencies to provide direct victim services or to establish community support;

- provide assistance to victims of violent crime and their families in obtaining assistance through other official or community resources;

- provide elderly victims of crime with services appropriate to their special needs;

- provide transportation and/or household assistance to those victims participating in the criminal justice process;

- provide victims of domestic and sexual violence and sexual harassment with services appropriate to their special needs;

- provide courthouse reception and guidance, including explanation of unfamiliar procedures and bilingual information;

- provide in-person or telephone hot-line assistance to victims;

- provide special counseling facilities and rehabilitation services to victims;

- provide other services as the Commission shall deem appropriate to further the purposes of this Act;

- provide public education on crime and crime victims;

- provide training and sensitization for persons who work with victims of crime;

- provide special counseling facilities and rehabilitation services for child victims of sex offenses;

when applicable, centers shall enter into written networking agreements to provide for the special needs of child victims of violent crimes;

provide assistance in exercising rights provided in the Roadside Memorial Act for the families of victims of fatal injury crashes on roadways. [725 ILCS 240/8]

By law[725 ILCS 240/7], the selection of agencies to receive funding includes consideration of the following factors:

1. stated goals and services in the application
2. commitment and ability to provide the stated services
3. number of people to be served and the needs of the community
4. evidence of community support
5. organizational structure of the agency
6. maximization of volunteers where appropriate

The Grant Award Process

In accordance with the law, the Office of Illinois Attorney General promulgated rules to implement the grant program. These rules, [89Il.Admin.Code 1100], were revised effective November 4, 2011, to comply with amendments to the Illinois Grant Funds Recovery Act [30 ILCSs 705].

Grant awards are made each fiscal year, and completed applications are always due on the first Friday in February for the upcoming fiscal year. The VCVA staff in the Attorney General's Office review the applications and present recommendations to the Attorney General. After the Attorney General makes final decisions, the staff execute grant agreements reflecting the conditions of the award. Agencies are required to submit reports to the VCVA Program on a quarterly basis. Grant Monitors review quarterly reports, conduct site visits, and ensure that victims are receiving the services outlined in the agreement. VCVA staff also provide technical and program development assistance when appropriate to new or existing programs throughout the state.

FY13 VCVA Grant-funded Programs

VCVA funds provide valuable support to the entire spectrum of victim services agencies represented in the State. From domestic violence services, homicide survivor groups, rape crisis centers, children advocacy centers, and other community-based organizations, VCVA funds increase the ability of all funded agencies to serve more victims with compassionate, high quality services. Funds are also available to state-wide coalitions to assist their member agencies in building capacity and implementing best practices to serve victims. In FY13, agencies in 79 Illinois counties directly receive VCVA funds. Some of these agencies serve as regional centers and provide service through a number of adjacent counties. The 253 VCVA grants represent the following program categories:

- 1 bias violence
- 27 children's advocacy centers
- 22 court appointed special advocates
- 4 child victimization
- 5 community based
- 62 domestic violence
- 2 domestic violence and sexual assault
- 2 driving under the influence
- 1 homicide survivor
- 14 legal service
- 3 police based
- 64 prosecutor based
- 27 sexual assault
- 12 senior victims
- 5 training and technical services
- 2 therapy

Fiscal Challenges

As noted earlier, fines assessed against defendants convicted of various criminal offenses and selected traffic violations are the source of funds for VCVA grants and programs. Until July of this year, a complicated schedule of fines and fractions of fines was in place for the courts to calculate VCVA fines (\$4 for every \$40 of a fine imposed). Because the number of fines and fees has increased over the years, and the types of fines imposed varied depending on the offense, the amount of the VCVA fine in any individual case could not be determined until all of the other fines were imposed. As a result, there were often errors in the calculations, or the court failed to impose the VCVA fine. The General Assembly simplified the process when it amended the VCVA, and established fixed fine amounts -- felony convictions (\$100.00), misdemeanor convictions (\$75.00) and selected traffic violations (\$50.00). The new law went into effect July 12, 2012 [P.A. 97-0816]. Because fines are often paid months after they are imposed, it is too early to determine the impact of the change in the law.

With the fund in steady decline over the past decade, and dropping more than 33% in the past three years, the Attorney General unfortunately had to decrease the amount awarded to recipient agencies. Compounding the situation for many funded agencies is the reductions from other state funding sources. The level and quality of services provided are inevitably affected. It is hoped the simplified fine schedule will stop the decline of the fund and further cuts to programs will not be necessary in future years. The Committee will work with the Office of the Illinois Attorney General to identify other possible ways to address these issues and increase revenue to the fund.

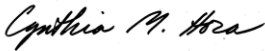
How Can Legislators Help?

Members of the General Assembly can help victims of violent crime in their districts by:

- ✓ Making sure agencies providing victims services in your district know about the VCVA program.
- ✓ Referring victim service providers to the Attorney General's Crime Victim Service Division for more information. Call toll-free – 800.228.3368 – or check the website, <http://www.illinoisattorneygeneral.gov/victims/index.html> .
- ✓ Working with the judges and county Court Clerks in your district to ensure fees are being imposed and that they are collected on a regular basis and deposited into the VCVA fund.
- ✓ Participating in coordinated community responses to specific types of violence and to violence prevention efforts.

The Violent Crimes Advisory Commission looks forward to working with the Attorney General and the General Assembly in the coming year to continue to ensure high quality, consistent services for victims across Illinois. Please do not hesitate to contact me with any questions – 312.814.1427, or chora@atg.state.il.us.

All my best,



Cynthia M. Hora
Chief, Crime Victim Services Division
Chair, Violent Crimes Advisory Commission